IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

WP(C).No. 5519 of 2007(F)

PETITIONER:

O.P. PADMANABHAN,
OLLARIKKATTU SADANAM, KUMBALAM P.O.,
KOCHI-682 506.

BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.P.M.BENZIR
SRI.DEEPU LAL MOHAN

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
LOCAL SELF GOVERNMENT DEPARTMENT, GOVT.SECRETARIAT
THIRUVANANTHAPURAM.

2. KUMBALAM GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY, KUMBALAM,
ERNAKULAM DISTRICT.

3. THE SECRETARY,
KUMBALAM GRAMA PANCHAYAT, KUMBALAM,
ERNAKULAM DISTRICT.

4. THE NATIONAL HIGHWAYS AUTHORITY OF INDIA
MINISTRY OF ROAD TRANSPORT & HIGHWAYS,
OFFICE OF THE PROJECT DIRECTOR (TECH), 29/1298-A,
MANGALYA VAIDYA MADOM, VYTTILA, COCHIN-682 019.

ADDL. 5. THE ASSISTANT ENGINEER,
KSEB, MARADU.
(ADDL.R5 IMPLEADED AS PER ORDER DT.13.11.07 IN IA 14885/07)

R1 BY SRI.K.J.MOHAMMED ANZAR, SR. GOVT. PLEADER.
R4 BY SRI.THOMAS ANTONY, SC, NHAI.
R2 & R3 BY SMT.I.SHEELA DEVI, SC.
ADDL. R5 SRI.P.P.THAJUDEEN, SC, K.S.E.B

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 04/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 5519 OF 2007

Dated this the 4th day of December, 2007

JUDGMENT

Obviously, Ext.P3 order under challenge is appealable to the Tribunal for Local Self Government Institutions. I dispose of the Writ Petition relegating the petitioner to the remedies by way of appeal to the Tribunal. But, considering the submissions addressed at the Bar, there will be a further direction to the Tribunal to entertain the appeal to be filed by the petitioner against Ext.P3, if the same is filed within one month from today notwithstanding the apparent delay and dispose of the same in accordance with law. The petitioner will implead the 4th respondent herein also as a respondent in the prospective appeal. The order regarding the temporary electric connection will continue subject to the petitioner approaching the Electricity Board before expiry of the period of temporary connection presently granted.

PIUS C. KURIAKOSE, JUDGE

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